

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AMERICAN CIVIL LIBERTIES UNION, et al.	:	CIVIL ACTION
	:	
v.	:	NO. 98-5591
	:	
ALBERTO R. GONZALES in his official capacity	:	
as Attorney General of the United States	:	

ORDER

AND NOW, this 20th day of November, 2006, upon consideration of the motion to exclude plaintiffs' demonstrative exhibit filed by defendant (Doc. No. 420) and the November 20, 2006 oral argument thereon, it is hereby **ORDERED** that the motion is **DENIED** because:

- (1) defendant had the opportunity and took the opportunity to discuss the exhibit's alleged deficiencies in his closing argument; and
- (2) to the extent that the exhibit is not based on facts in the record, the exhibit will be disregarded by the fact finder.

S/ Lowell A. Reed., Jr.
LOWELL A. REED, JR., S.J.